

September 13, 2021

SCRANTON, PENNSYLVANIA 18503

The Scranton School Board of Directors held a regular board meeting on Monday, September 13, 2021 in the Auditorium of Scranton High School, 63 Munchak Way, Scranton, PA 18508.

1. Call to Order

President Gilmartin called the meeting to order at 7:12PM.

2. Pledge of Allegiance

3. Roll Call – By the Secretary.

Present: Directors Cruz, Dempsey, Fox, Hume, Malloy, McAndrew, Yanni and President Gilmartin.

Absent: Director Welby.

At this time President Gilmartin asked for a moment of silence and acknowledged the passing of Mr. Frank Burke, employee of the District and Vice President of the 32BJ Maintenance Union. Ms. Gilmartin expressed kind words of Mr. Burke's love for all of the members of the union, his fierce defending of the membership and his belief that better times were coming.

4. Motion to Approve Agenda

President Gilmartin asked for a motion to approve the agenda.

Director Yanni asked that item G-2 be pulled from the Consent Agenda.

Item G-2 was removed from the Consent Agenda.

Director Yanni made a motion to approve the agenda, Director McAndrew seconded; motion duly passed 8-0.

5. Communications to the Board:

Secretary Virginia Orr announced that Executive Sessions were held on June 23, 2021, July 21, 2021, July 26, 2021, August 16, 2021 and this evening to discuss personnel, negotiations, real estate and litigation.

6. Solicitor's Report - Attorney John Audi – No Report.

7. Superintendent's Report - Mrs. Melissa McTiernan

Mrs. McTiernan announced that the student representatives slated to attend this evening are unable to attend due to prior commitments. Mrs. McTiernan thanked Tyler Michel and

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Jeannie Rafferty for volunteering to serve in this role and hopefully they will be able to attend the next board meeting in October.

Mrs. McTiernan gave an update on the ESSER pandemic relief funds and since March 2020 the Federal Government has provided one-time levels of funding for school districts and the Scranton School District's total allocation is \$57,362,355. In developing plans for the use of these funds both the Chief Recovery Officer Dr. Finan and the District have remained committed to directing all of these funds to classrooms, programs and buildings. Under the Recovery Plan the most important initiatives under the Academic Achievement Chapter focus on providing new classroom materials and expanding access to high quality programs for students. These ESSER funds allow the district to accelerate these investments, restore cuts in student spending from prior years and provide exciting opportunities for Scranton students. In order to gather feedback on the proposed uses of the ESSER funds the Chief Recovery Officer worked with the District to solicit input from a broad group of stakeholders including administrators, professional staff, Recovery Plan Advisory Committee members and members of the public. Recommendations from these groups were incorporated into the plans. For the most recent ESSER II ARP ESSER funds the district is in the process of submitting its final budgets to the Department of Education to begin spending funds on these commitments: facilities over \$40,000,000 for HVAC asbestos abatement and other projects needed to allow students to remain in the buildings, textbooks and curriculum, \$5,000,000 for new materials and training, extended day programs, \$1.2 million to support before and after school programs for all grade levels and buildings. Special Education, \$1.5 million to address learning loss and compensatory education needs in response to the pandemic. Cyber program, \$1.5 million for a supervisor, a learning platform and teachers that would allow the district to compete with cyber charter schools for elementary school children. Establishing a science technology engineering mathematics and medicine program \$1.3 million for a coordinator, teachers and equipment. Summer school, \$850,000 to support multiple years of expanded programs which were piloted over the past few weeks. Transportation, \$500,000 to provide transportation for all eligible high school students with the goal of improving attendance rates. Mrs. McTiernan knows there have been questions regarding the use of the ESSER funds and hopes this summary answered those questions.

Mrs. McTiernan also reported on the SSDs current enrollment of 9,271 and the cyber program enrollment is 681 students.

Mrs. McTiernan reminded the school community that up to date information on COVID can be found on the school district web page at scrsd.org

Mrs. McTiernan gave an update on the stadium track and the completion of the project is set to be completed September 16th and they have completed work up to the final application of the coating on the track surface and they are hopeful that weather does not interfere with the application of the final coating.

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Mrs. McTiernan said overall it was a successful first week of school and personally thanked students and staff for cooperating with the mask mandate and there have not been any issues at this point.

8. Report from Student Representatives

Student representatives were unable to attend due to after school activities.

9. PSBA Report - Director Michelle Dempsey

Director Dempsey reported on the following: [PSBA Report - September 2021.pdf](#)

10. Public Comment

Rob Rucker, Director of Operations and citizen of Scranton, wanted to take the opportunity to speak of the untimely passing of Mr. Frank Burke, a dedicated employee of the school district for 15 years, Vice President of the 32BJ locally, an avid Notre Dame and Colts fan, and in the short amount of time that Mr. Rucker knew Frank he found him to be a kind and caring soul, he was loved by all his peers and very proud of his Irish heritage and long time member of the Scranton Parade Committee. Frank was always quick with a joke and a laugh and can always be seen wearing his derby and he will be truly missed by his friends and colleagues, it is a great loss to the school district and asked to please keep him and his family in thoughts and prayers.

Kathleen Beckwith, taxpayer, parent and SFT member spoke on behalf of the students and the real-life negative consequences of the recovery plan. Mrs. Beckwith said all teachers and para educators in the district are seeing red over the recovery plan, the closing of neighborhood schools, loss of 3 and 4 year old preschool programs, loss of computer classes, reduction of graduation credit requirements, loss of middle school chorus, band and orchestra, loss of library, reduction of health classes, loss of para educators to support the learning support students both in and out of the classroom, loss of highly qualified experienced teachers and para educators, and the lack of respect for teachers and para educators who have not had a fair and equitable contract in the past 5 years.

Dawn Hafner, taxpayer, parent and SFT member spoke of teachers having to cover several classrooms and teachers losing their preps, asked how this is benefitting the students and the parents should be seeing red, the board should be seeing red and the students deserve better.

Jean Moran, addressed the board regarding her son being lost getting home the first day of school and expressed her feelings of the negligence of administrators.

Donna Moran, addressed the board regarding her grandson being lost getting home on the first day of school and the district needs to promise this will not happen again and stop passing blame and asked where is the accountability.

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Steve Miller, addressed the board regarding his son being lost getting home on the first day of school, the loss of phone service and no back up and no one being able to speak to the media.

Rosemary Boland, SFT President, on behalf of the officers, the executive committee and the membership of the SFT offered condolences to the family of Mr. Frank Burke and to the members of his union.

Ms. Boland also spoke of recent issues of transportation problems and technology problems and of replacing teachers with people with emergency certifications.

Holly Meade, SFT member, spoke of the cuts of clerks in intermediate schools and that it is not working and they can't get to the parents and students fast enough.

Mrs. Meade spoke of being positive and helping the new teachers and students at Northeast and urged the board to be proactive and secure a contract for the teachers. Mrs. Meade said they do not want to strike; they want to be in the classroom and implored the board to settle the contract on Thursday, even if it takes all of them 10 or 20 hours, work together and figure it out.

Jennifer Felter, SFT member, spoke of the loss of programs, teachers' schedules, building conditions and no contract for five years.

Barbara Cook, resident and SFT member, spoke of her son and his disability, PCA responsibilities, the access road at Tripp, track bid, Frontline contract, Kelly staffing, more teachers and paras have left now more than ever, the need to have preschool programs, the relationships she's made with students and teachers, her love of being a paraprofessional and her need to retire.

Pat Fricchione, Simplex, spoke against the conversion from Business Mercantile Tax to Payroll Tax.

Joseph Fasula, Gerrity's Supermarket, spoke against the conversion from Business Mercantile Tax to Payroll Tax.

Dave Boniello, Simplex, spoke against the conversion from Business Mercantile Tax to Payroll Tax.

Nancy Sarno, Sarno and Sons, spoke against the conversion from Business Mercantile Tax to Payroll Tax.

At this time President Gilmartin asked Superintendent McTiernan if she would like to address anything.

Mrs. McTiernan apologized to Mrs. Moran for the situation with her son and communicated her version of events.

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Mrs. McTiernan also spoke about someone mentioning a gag order and believes this administration is the most open administration and no one said don't talk to the media and there is no one that is saying not to talk to the media.

Mrs. McTiernan also spoke about schools that use VOIP which is also a concern of hers and they are looking into having something in an emergency situation. Mrs. McTiernan asked Mr. Rucker to speak about some of the plans.

Mr. Rucker explained that when the internet goes down, about 2/3 of the district is running Voiceover Internet Protocol (VOIP) phones so whenever the internet goes down we do lose connectivity so one of the paths they're going forward with is to provide that failover and looking to integrate either an LTE line, a cellular back up or look into satellite to install in each one of the buildings to provide that for essential services such as front offices and those phones.

Mrs. McTiernan confirmed with Mr. Rucker that it is about 2/3 of the buildings and that we are looking into a solution for emergency lines.

Director Yanni said she is confused on the timeline of what happened, what time were we notified that we lost internet and if Zito notified us or did we notify them.

Mr. Rucker explained that the principals come into the building and notified central administration that the internet was not working, first thing in the morning around 6:15AM.

Director Yanni is concerned about the information that the board received, it said field technicians are still projected an estimated time of arrival at 2:30pm and asked where is the delay, did technicians have to come from out of town, do we not have any local technicians for this.

Mr. Rucker responded that this was outside of the district's control, this was the provider themselves, this was not an internal break for the school district, this was external, outside of the district.

Director Yanni said she is trying to understand what happened between 6:30AM – 2:30PM.

Mrs. McTiernan believes Mrs. Maloney can help.

Mrs. Maloney responded that the network administrators assessed the situation, found that it was not a Scranton School District issue, that it was with the fibers so they put in a ticket and what she provided to the board was a response to the ticket so the ticket was put in at about 7:00AM once they realized it was not our issue, it was theirs. Mrs. Maloney said she was just providing the board with the responses as they went through the day.

Director Yanni said that's where her concern is; she thinks maybe that's what they need to look at, as a fail-safe plan. She is struggling with the fact that we had no control except to

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contact and put in a ticket with Zito and she doesn't know why they couldn't get there and it only took them 90 minutes to complete it so why couldn't they have been there in half an hour and gotten it done in 90 minutes. Mrs. Yanni thinks maybe they need to look at the contract with Zito to get someone local to be able to get on it quickly.

Mrs. McTiernan added that as far as the Zito question, she thinks they're going to have to answer to why it took them so long but as far as the back-up plan, yes it is important because teachers were coming in and it was the worst case scenario for them and the kids who weren't registered properly, we couldn't put them in classrooms, so yes, Zito will have to answer why it took so long.

Director Yanni thinks they need to be held accountable for their role in this, our cyber program suffered and she would like to look at the contract.

Director McAndrew added that this isn't the first time the internet went down, asked why there wasn't a plan in place already and why are we being reactive and not proactive.

Mrs. McTiernan responded that this was out of our control and asked Mrs. Maloney what the common reasons are that the internet may go down.

Mrs. Maloney responded there's a multitude of things that can happen.

Director McAndrew asked what the timeline is for a back-up plan.

Mr. Rucker responded that he is reaching out with network administrators locally and also to the IU to figure out a plan as right now everything is routed through the IU to the server at South Intermediate and is distributed to each building so the issue becomes if we do a back up how is it managed, is it open and also going to look at isolating VLAN, a separate VLAN for administrators and phones so worse case we just have the phones working. Mr. Rucker said there's a multi faceted plan we're trying to put into place in the next few weeks.

At this time President Gilmartin asked if anyone wanted to clarify some strategies to mitigate the issues of confusion with bus stops.

Mrs. McTiernan said there are a lot of elementary principals who already have a system in place with putting zip ties or name tags on backpacks, using colored bands and right now the stop they are primarily having a problem with, they are in discussions right now to possibly eliminate the five stops and have only one stop and therefore some confusion would be eliminated by having one stop in that are because from what she's been told the stops are not far from each other. Mrs. McTiernan talked about the first week of school and bus drivers not knowing parents or guardians; they are having discussions, there are a lot of factors, there are no excuses, and they're trying to come up with solutions so they can make it right.

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President Gilmartin knows Mrs. McTiernan offered her apologies to Ms. Moran and she as well as her colleagues were deeply concerned when they were made aware of the situation and they are very sorry for the experience as well.

Director McAndrew remarked that this was a huge issue and speaking to Mrs. McTiernan, said she is the official spokesperson of the district; a parent had to be brought outside to see if Mrs. McTiernan's car was there and that shows him that the parent really wanted to talk to Mrs. McTiernan, so now going forward asked if they can be more proactive with phone calls coming from the Superintendent and not just the staff.

Mrs. McTiernan responded that she can always improve upon anything that she does and she tries to get back to every parent and answer everyone and again, no excuses, there are times she is not in the office and she is always willing to work on whatever she can to make herself better.

President Gilmartin now addressed a comment made about the lack of information around the payroll conversion and added that two years ago they had a panel discussion hosted by the League of Women Voters in partnership with Scranton Tomorrow, it was available on ECTV, it is available on YouTube, and they had a great discussion with Mr. Balzoni, the City's Business Administrator at the time, Dr. Finan, Teri Ooms from the Institute at the University of Scranton, Mr. Laffey and there were very good conversations around the matter at that time as well as information provided by Mr. Larry West that had been reviewed with the Scranton School District board through Budget & Finance Committee meetings and Work Sessions, it has been an ongoing topic of the Mayor's Tax Policy working group which is a public bi-weekly meeting that is also accessible and there's an opportunity for people to comment just as they comment here so there's been a lot of information out there and things can be missed but they really made an effort to make sure that this information was conveyed and that it has been thoroughly reviewed.

11. Motion to Approve Meeting Minutes of June 7, 2021, June 23, 2021, July 26, 2021 and August 16, 2021.

A motion to approve the meeting minutes was made by Director McAndrew, seconded by Director Yanni; motion duly passed 8-0.

12. Motion to Approve CONSENT AGENDA - One Roll Call to Approve Items. Please announce if any items(s) removed prior to vote.

(Item G-2 was previously removed from the Consent Agenda at the request of Director Yanni)

Director Yanni made a motion to approve the Consent Agenda, seconded by Director McAndrew; motion passed unanimously on roll call.

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12.01 {B-1} Approve Bill List [B-1 Bill List 9.13.21.pdf](#)

List of Bill Payments: \$1,332,679.20

ALSO

12.02 {B-2} Approve Exception and Summer Bill Lists [B-2 Bill List 9.13.21.pdf](#)

Bill Payments

June 11, 2021	\$568,793.40
June 24, 2021	\$7,590,671.29
June 30, 2021	\$915,803.00
July 8, 2021	\$779,047.51
July 22, 2021	\$1,255,048.10
July 30, 2021	\$1,180,138.27
August 6, 2021	\$1,115,709.50
August 19, 2021	\$1,327,027.33
August 31, 2021	\$719,216.14
September 10, 2021	<u>\$1,611,984.52</u>
	\$17,063,439.06

Payrolls

June 11, 2021	\$2,363,289.47
June 24, 2021	\$3,691,459.78
July 8, 2021	\$1,947,619.81
July 22, 2021	\$2,126,100.52
August 5, 2021	\$1,974,051.68
August 19, 2021	\$1,893,016.91
September 3, 2021	<u>\$2,228,401.44</u>
	\$16,223,939.61

ALSO

12.03 {B-3} Approve Repository Sales

The Lackawanna Tax Claim Bureau has approved the following repository sales:

712 Court St.	Map #13420-020-082	\$2,750.00	Cynthia Maria Souza Lopes
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In accordance with the Real Estate Law any property not sold at Judicial Sale shall be listed in a Repository of Unsold Properties to be placed for bid and if sold will return to a tax paying status with the Tax Claim Bureau.

ALSO

12.04 {B-4} Approve May 2021 Delinquent Tax Report

Delinquent Tax Report for the month of May 2021 as collected by the Lackawanna County Tax Claim Bureau as attached: [May 2021 Delinquent Tax Report 9.13.21.pdf](#)

	\$369,824.64
Penalty:	\$33,814.26
Interest:	<u>\$26,757.33</u>
TOTAL	\$430,396.23
Commission:	<u>\$(21,520.12)</u>
NET TO DISTRICT	\$408,876.11

ALSO

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12.05 {B-5} Approve June 2021 Delinquent Tax Report

Delinquent Tax Report for the month of June 2021 as collected by the Lackawanna County Tax Claim Bureau as attached: [June 2021 Delinquent Tax Report 9.13.21.pdf](#)

	\$509,795.80
Penalty:	\$49,866.77
Interest:	<u>\$44,277.36</u>
TOTAL	\$603,939.93
Commission	<u>\$(30,197.83)</u>
NET TO DISTRICT	\$573,742.10

ALSO

12.06 {B-6} Approve July 2021 Delinquent Tax Report

Delinquent Tax Report for the month of July 2021 as collected by the Lackawanna County Tax Claim Bureau as attached: [July 2021 Delinquent Tax 9.13.21.pdf](#)

	\$378,302.95
Penalty:	\$30,628.56
Interest:	<u>\$35,954.97</u>
TOTAL	\$444,886.48
Commission	<u>\$(22,244.82)</u>
NET TO DISTRICT	\$422,641.66

ALSO

12.07 {B-7} Approve Budget Transfers

Approve Budget Transfer(s) per the attached requests [Budget Transfers 9.13.21](#)

From 1233-322 to 1233-563 \$100,000

ALSO

12.08 {B-8} Approve May 2021 Treasurer's Report

Treasurer's Report for the period ending May, 2021 as prepared by the Business Office and confirmed by First National Bank. [May 2021 Delinquent Tax Report 9.13.21](#)

Opening Balance	\$24,638,792.54
Monthly Revenue	\$21,256,919.24
Transfers and Refunds	<u>\$460,497.66</u>

TOTAL AVAILABLE	\$46,356,209.44
TOTAL DISBURSEMENTS	<u>\$(9,385,381.86)</u>
BALANCE IN GENERAL ACCOUNT	\$36,970,827.58

ALSO

12.09 {B-9} Approve June 2021 Treasurer's Report

Treasurer's Report for the period ending June, 2021 as prepared by the Business Office and confirmed by First National Bank. [June 2021 Treasurers Report 9.13.2021](#)

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Opening Balance	\$36,970,827.58
Monthly Revenue	\$13,767,519.51
Transfers and Refunds	<u>\$1,017,833.78</u>
 TOTAL AVAILABLE	 \$51,756,180.87
TOTAL DISBURSEMENTS	<u>\$(17,648,383.30)</u>
BALANCE IN GENERAL ACCOUNT	\$34,107,797.57

ALSO

12.10 {B-10} Approve July 2021 Treasurer's Report

Treasurer's Report for the period ending July, 2021 as prepared by the Business Office and confirmed by First National Bank. [July 2021 Treasurers Report 9.13.2021](#)

Opening Balance	\$34,107,797.57
Monthly Revenue	\$5,458,757.12
Transfers and Refunds	<u>\$961,852.63</u>

TOTAL AVAILABLE	\$40,528,407.32
TOTAL DISBURSEMENTS	<u>\$(8,434,295.99)</u>
BALANCE IN GENERAL ACCOUNT	\$32,094,111.33

ALSO

12.11 {B-11} Approve August 2021 Treasurer's Report

Treasurer's Report for the period ending August, 2021 as prepared by the Business Office and confirmed by First National Bank. [August 2021 Treasurers Report 9.13.2021](#)

Opening Balance	\$32,094,111.33
Monthly Revenue	\$13,717,564.90
Transfers and Refunds	<u>\$247,075.43</u>

TOTAL AVAILABLE	\$46,058,751.66
TOTAL DISBURSEMENTS	<u>\$(8,240,883.96)</u>
BALANCE IN GENERAL ACCOUNT	\$37,817,867.70

ALSO

12.12 {B-12} Approve Capital Improvement Bill List

Approve Capital Projects Bill list attached [Capital Bill List 9.13.21](#)
\$1,333,588.73

ALSO

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12.13 {B-13} Approve Budget Transfer for School Uniform Vouchers

Motion to authorize the transfer of \$21,300 from account 10-5100-833-000-00-000-001-000-0000 to 10-1100-610-000-00-071-001-000-0000 to purchase school uniform vouchers from Starr Uniform. The Scranton School Board and District Administration would like to offer support for those families in need of District uniforms. District Administration has received 3 quotes for school uniform vouchers, the lowest of which is Starr Uniform.

ALSO

12.14 {B-14} Motion to Approve Disposal of Assets

Approve assets disposals per the attached. [Disposal of Assets 9.13.21](#)

Approve disposals per the Food Service Department and Plaza Elementary request.

ALSO

12.15 {C-1} Accept Terracycle Prize for McNichols Plaza

Accept TerraCycle Prize of \$53,000 for McNichols Plaza.

ALSO

12.16 {C-2} Approve Hand Sanitizer Donation from Walmart to South Intermediate

Accept donation of hand sanitizer from Walmart to the South Scranton Intermediate School

ALSO

12.17 {C-3} Approve Donation of Outdoor Bookshelf for Portable Library at McNichols Plaza

Accept donation of Outdoor Bookshelf for a portable library from Sandie Lamanna for McNichols Plaza. \$400.00

ALSO

12.18 {C-4} Approve School Supplies Donation from the University of Scranton for McNichols Plaza Back to School Fair

Accept donation of school supplies from University of Scranton to McNichols Plaza for their Back to School Fair. \$1091.34

ALSO

12.19 {C-5} Approve Donation of Medical Equipment from the Wright Center to Northeast, South and West Intermediate Schools

Accept donation of Medical Equipment from the Wright Center to the medical rooms in Northeast Intermediate, South Intermediate and West Scranton Intermediate Schools. Spreadsheets attached: [Donation Medical Equipment from Wright Center 9.13.21](#)

ALSO

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12.20 {C-6} Approve Lackawanna County System of Care Memorandum of Understanding
The approval of the Memorandum of Understanding Partnership between the Lackawanna County Department of Human System of Care (SOC) and the Scranton School District for the purposes of establishing a formal relationship as a member of the SOC County Leadership Team

ALSO

12.21 {C-7} Approve Chop Out Hunger Program
Approve the meal backpack program with Child Hunger Outreach Partners to operate at all District schools.

ALSO

12.22 {D-1} Approve Permission to Attend
Approval of staff attendance to conferences and meetings contingent upon the required approval of all supervisors, principals or administration.
[Permission to Attend attachment 9.13.21](#)

ALSO

12.23 {D-2} Approve Heggerty Contract for Professional Development at McNichols Plaza
Approve Contract for Professional Development for McNichols Plaza: Heggerty Phonemic Awareness Tier 1 and Bridge the Gap
Financial Impact: \$1,500.00

ALSO

12.24 {D-3} Approve Purchase of Additional ELA Teacher Textbook Editions for Itinerant Staff
The Scranton School District's ELA Education Committee and administration are recommending the purchase of additional ELA teacher textbook editions for staff in K-12; additional materials are necessary to fully support the K-12 program and instruction previously approved at the July 26th board meeting. Three year agreement additional cost: \$139,213.34 (Funded by ESSER)

ALSO

12.25 {D-4} Approve SEL Professional Development Contract Agreement with NEIU
Approve Social-Emotional Learning (SEL) Professional Development Agreement with NEIU #19 effective August 16, 2021 and continue up through and including June 30, 2022 unless terminated in accordance with Section IV at a cost not to exceed \$61,700. (ESSER FUND) Terms and conditions outlined in the contract.

ALSO

12.26 {D-5} Approve Feifer Assessment of Reading (FAR) Professional Development for Reading Specialists

The Scranton School District has requested a Feifer Assessment of Reading workshop to retrain and update reading specialists on use of all of the components contained within the FAR Assessment kit which will be delivered by Sandie Lamanna and Lisa Seipler, school psychologists on behalf of the Northeastern Educational Intermediate Unit to Reading Specialists within the Scranton School District. The facilitators will:

- Provide an overview of materials included in the FAR kits
- Share information on theoretical foundations
- Share Q&A documents and utilize as a framework to guide questions and discussion
- Review protocol for subtest administration (hands-on practice)
- Review scoring procedures (manual and computer scoring)
- Test performance interpretation (successive level of interpretation, within index and across indices comparisons)
- Aligning test performance to individual intervention plans (review template for designing individual student plans)
- Presenting assessment finding to staff and parents

Formal contract approval will be awarded following SSD School Board approval.

Financial Impact: \$1,500.00 (Funded by Title II)

Authorize the consulting agreement for delivery of a FAR workshop with Northeast Intermediate Unit (IU 19). Formal approval is pending the decision of the Board of Directors.

ALSO

12.27 {D-6} Approve Field Trip Request for West High to Italy and Germany in 2023

West Scranton High School professional staff to chaperone and to plan and fundraise for a student field trip to Italy & Germany July 12-23, 2023. The expected educational value of the field trip for our students will be:

1. Students will deepen social and historical knowledge through guided tours of some of the great cities of Europe.
2. Students will broaden their respect for cultures outside of the United States.
3. Students will enhance their perspective on World War II and the effect of the Holocaust on Europe, the United States and the world as well as evaluating the impact of ancient Rome on current history.

ALSO

12.28 {D-7} Approve Purchase of High School Math Curriculum Materials from Cengage

Approve the purchase of textbooks from Cengage Learning for the following high school Math courses: Calculus, Statistics, AlgebraII/Trigonometry, Business and Consumer Math, Elementary Analysis, and College Readiness Math. Recommendations are based upon the recommendations of the high school teachers on the Math Education Committee and administration. Supporting documents attached. [High School Math Textbooks Cengage Learning 9.13.21](#)

Five year cost \$244,103.48 (Cengage Learning)

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12.29 {D-8} Approve United Neighborhood Center ESL Classes for Adults at McNichols Plaza

It is at the recommendation of the administration that the Scranton School District continues the following program and partnership: United Neighborhood Center (UNC) will offer Free Adult ESL (English as a Second Language) classes to the Scranton School District community at McNichols Plaza Mondays through Thursdays from 5:30 to 8:00PM during the school year. The UNC will attend McNichols Plaza's Back to School Fair to promote their ESL Adult classes. Ms. Ardestani has identified the classrooms that will be utilized. UNC offers free childcare to our students while their parents participate in the classes. This partnership was established under the guidance of the former principal and superintendent but was brought to a halt due to the COVID-19 pandemic.

Financial Impact: No cost.

ALSO

12.30 {E-1} Approve Scranton Prep Use of Memorial Stadium

Scranton Prep use of Memorial Stadium as their home field for the 2021 football season.

Rental Fee: \$2,500.00 day use

\$3,300.00 night use

This fee will include: Game Management workers-ticket sellers, ticket collectors, maintenance, announcers, time keepers and spotters.

ALSO

12.31 {E-2} Approve University of Scranton Health Field Affiliation Agreement

Approve the University of Scranton Affiliation Site Agreement effective June 15, 2021 as outlined in the attached. Terms and conditions outlined in the attached agreement.

[U of S Affiliation Site Agreement 9.13.21](#)

ALSO

12.32 {E-3} Approve GPI Proposal for West Intermediate MEP and Civil Engineering Services

Approve GPI Proposal for the West Scranton Intermediate MEP and Civil Engineering Services Modular Classrooms

Financial Impact: \$63,500

ALSO

12.33 {E-4} Approve Brandywine CAD-3D Scanning and Modeling Proposal

Approve the proposal from Bradywine CAD Design for the West Scranton Intermediate School 3D Scanning and Modeling

Financial Impact: Fee not to exceed \$60,000.00

ALSO

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12.34 {G-1} Approve First Read Revisions/Updates of Policies 146.1-Trauma-Informed Approach, 218.1-Weapons, 218.2-Terroristic Threats, 246-Student Wellness, 247-Hazing, 249-Bullying/Cyberbullying, 252-Dating Violence, 805-Emergency Preparedness & Response, 805.2-School Security Personnel and New Policy 236.1 Threat Assessment

ALSO

12.36 {G-3} Approve Second Read Policies 916-Volunteers, 800.1-Electronic Signatures/Records and 816-District Social Media

ALSO

12.37 {H-3} Approve Read 180 Contract
Approve proposal from Houghton Mifflin Harcourt for the purchase of the Read 180 Universal and System 44 subscription. READ 180 is a direct instruction intervention program that focuses on building reading comprehension, academic vocabulary, and writing skills for students with a significant reading deficit in Grades 5 through 12.
Financial Impact: \$342,958.10 for a (3) three year subscription.

ALSO

12.38 {I-1} Award Janitorial Bids
Award the yearly Janitorial Supplies Bid. Items were awarded to the lowest responsible bidder as follows:

<u>VENDOR</u>	<u>AMOUNT AWARDED</u>
SANICO	\$1,117.50
PYRAMID	\$866.74
LJC FULLER BRUSH	\$4,480.00
INTERBORO PACKAGING	<u>\$922.00</u>
	\$7,386.24

DRAW DOWN ITEMS		ITEM #
SANICO	BOWL CLEANER	4
SANICO	DISINFECTANT	10
SANICO	GYM FLOOR SEALER	13
SANICO	TOILET TISSUE	17
SANICO	SINGLEFOLD PAPERTOWELS	18
SANICO	ROLL PAPERTOWELS	21
SANICO	ANTIBACTERIAL SOAP	33
SANICO	JUMBO TOILET TISSUE ROLLS	37
MAIN POOL & CHEMICAL	ROCK SALT	6
MAIN POOL & CHEMICAL	CALCUM CHLORIDE	11
PYRAMID	CLOROX WIPES	38

Financial Impact: \$7,386.24

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ALSO

12.39 {I-2} Award Paint Bids

Award of the yearly Paint and Painting Supplies Bid. Items were awarded to the lowest responsible bidder as follows:

<u>VENDOR</u>	<u>AWARDED ITEMS</u>
SHERWIN WILLIAMS	1-5GAL, 1-1GAL, 2-5GAL, 2-1GAL, 3-5GAL, 3-1GAL, 5,6,7,8,9,15,16,17,22,23,29,30,31,32,33,36,38,39,40,41,43,44,52, 53,58,60,61,62,63,64,66,72,78,79,80,81,82,85,87,88,90,91,92,94, 95,96,97,99,100,101,102,109&117
GLECO PAINT	4.10.11.12.13.14.18.19.20.21.24.25.26.27.28.34.35.37.42.45.46. 47.48,49,50,51,54,55,56,57,59,65,67,68,69,70,71,73,74,75,76,77, 83,84,86,89,93,103,104,105,106,107,108,111,112,113,114&115

ALSO

12.40 {I-3} Approve Bun Run to Kennedy Elementary for Valley View for the 2021/2022 School Year Only

Motion to approve removing the bust stop at Valley View Housing Development (1002 Genet St) on bus 36 to Kennedy Elementary School for the 2021-2022 school year. This bus will be eliminated after the 2021-2022 school year.

Financial Impact: \$308/day x 180 days = \$55,400

ALSO

12.41 {I-4} Approve Western PA School for the Deaf (WPSD) Transportation Contract Approve the Western PA School for the Deaf (WPSD) contract, for the 2021-2022 school year, to transport to and from, three (3) school children attending WPSD from its Camp Hill location to WPSD in Pittsburgh.

Financial Impact: \$8,000.00 per child for services.

Total: \$24,000.00

13. NON CONSENT AGENDA ITEMS

14. BUDGET AND FINANCE

14.01 {B-15} Motion to Approve to Convert from BPM to Payroll Tax

The Board of Education requests the District Administration to replace the Business Privilege Mercantile tax with the levy of a Payroll Preparation tax in its proposed final budget.

The proposed tax will be set at a rate with the intention that the conversion is revenue neutral. The District retains the ability to adjust the rate one time to ensure a revenue neutral conversion.

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In the ensuing weeks prior to the presentation of the proposed final budget the District and the City of Scranton will identify the means by which the tax will be collected and explore options to mitigate any revenue delays or shortfalls due to the conversion.

Approve the replacement of the Business Privilege Mercantile tax with the levy of a Payroll Preparation tax in the proposed final budget as noted above.

Director Yanni made a motion, seconded by Hume.

ON THE QUESTION:

Director Yanni said that since she has been a member of the Mayor's Working Tax Policy group for many months and she thinks our city's business leaders have put in a lot of work studying this tax, she thinks they thoroughly reviewed this pros and cons of it for the City and she believes this conversion would be in the best interest for the City of Scranton but as a board member for the Scranton School District her concern remains with the \$1.8 million dollar revenue shortfall that the school district is projected to incur in one year of the conversion. There are potential avenues that we can explore to mitigate that shortfall and she is wondering if Mr. Laffey would help her expand on those and perhaps they can review some of those to see if they could get closer to mitigating that \$1.8 million dollars.

Mr. Pat Laffey responded that a few of the items they've been looking at to potentially as Director Yanni noted there is the potential for a shortfall in year one and the reason for that is the current BP Mercantile tax is obviously paid based off of the prior gross receipts that comes due in April of the following year so a conversion of the payroll prep tax would be a current year tax liability and would be similar to our Earned Income Tax so businesses would be asked to pay this on a quarterly basis so that fourth quarter revenue that would not be due until sometime in February of the next year, that would be the potential gap that we're talking about. Some of the areas that they've looked at potentially to how to fill that void, in 2016 and 2017, the City and the School District jointly, but separately, pursued delinquencies of Business Privilege Mercantile and he can speak only of the School District that it was rather successful, they saw a spike in the delinquent BP Merc collections in those year of approximately \$700,000. He does feel that he thinks a joint effort along with working with our tax collector could also return something similar. They believe there are delinquencies out there and thinks if we pursue it aggressively it could be something that can be used to fill any shortfall in year one.

Mr. Laffey said another factor is, and is hard to put a number on it, is some of the discussions around the payroll prep tax is the collectability of it; it's been talked about as being an easier tax to collect and prevent tax avoidance so as they looked at some of the growth that they've seen in the Earned Income Tax they're wondering if they are going to see a spike quicker if a payroll prep tax conversion does occur with that collectability. They also looked at potentially how to increase the current Real Estate tax collection rate; the district is budgeting approximately 86%-87% of our collections for each year, growth to about 90% which he thinks is commiserate with a lot of school districts in the area, could realize approximately \$1.9 million dollars in yearly revenue growth based on our current assessed value. It would be preliminary to say anything more regarding some of the shared services that we have with the City of Scranton but we could look to potentially expand on that or change some of the cost sharing we do share the cost of the Single Tax Office, SROs

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in our schools and the crossing guards for our students so these are some of the preliminary areas that we thought we can explore hopefully offset or mitigate some of that loss.

Director McAndrew asked if we change this from a tax to a fee, would the non-profits be expected to pay.

Mr. Laffey responded that he planned to speak to Solicitor Audi about that but unfortunately they were unable to connect but he did speak with someone who is part of the Mayor's Tax Committee that he thinks would have some good insight into this, he has some experience with a flat assessment rather than a fee, instead of a tax, however none of them were with the non-profits. However, he thinks the gut instinct was that they would still be exempt from it but it's something they want to explore more.

Director Hume thinks the fact that they pursued delinquencies in 2016 and 2017 is great, thinks that by improving our Real Estate collection rate we can make money, thinks that both of these should be pursued irrespective of whether or not we go forward with the conversion and if we're not aggressively pursuing these, if it's \$1.9 million, that's 1% of our budget, this little slightly more from next year so she thinks they should as a matter of policy, move forward with those two areas. Ms. Hume continued to say that the basic thing is that \$1.8 million, if we convert we need to get that back; without that she finds the wording of the resolution [motion] quite wooly if no one minds the expression. In the ensuing weeks prior to the presentation of the proposed budget, the district and the City will identify the means by which the tax will be collected, this is the bit that gives her a little pause and explore options to mitigate any revenue delays or shortfalls due to the conversion. Unless the language is stronger than explore options, unless there is something concrete she would find it very difficult to support this. Ms. Hume does believe that there are local businesses like Mr. Fasula and the other people who spoke, that will have issues but she believes that spreading the tax towards people who currently do not contribute to the district such as the banks and the multinationals and the businesses and the finances in those areas will ease a bit of the burden on our local tax payers, but exploring options for her is too vague, unless there is something slightly more concrete she doesn't know that she can support this.

President Gilmartin, if she may speak to that, said the issue is we are not levying this tax this evening, we don't levy this until we pass the final budget, so this is an opportunity to set our course to state our intention and she certainly doesn't want to indicated that this is a bait and switch tactic but to your point if we don't feel in these next several weeks that we do have concrete answers to this question we have not yet levied this tax so there is still that option on the table but it is a little bit difficult to pursue these conversations aggressively and really set a plan to have a concerted effort to increase tax collections whether its delinquent BPM or have a conversation about a plan to really go after that property tax rate; it's a little difficult to have those conversations in partnership with the City; certainly we can have them on our own but difficult to have those conversations without setting our intentions. Ms. Gilmartin said she can certainly agree that it's a bit vague but that is to leave the door open for those conversations. Ms. Gilmartin asked Mr. Laffey about the rate and the references to Pittsburgh and asked if he would explain that.

Mr. Laffey believes there to be two questions tonight – the district and the City's rate of 1.085 and the calculation behind it, as you are aware it has to be a revenue neutral

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conversion so the tax base of what the wages would be were provided by Berkheimer, which is the Earned Income Tax collector; non-profits were excluded from gross payrolls and to be revenue neutral they utilized the Business Privilege Mercantile (BP Merc) prior year collections, noting that was done off of 2019, he believes the law would require them to readjust that based off of what the 2020 BP Merc collections were and 2020 gross wages from Berkheimer. In regards to the rate he doesn't know the answer to this but he thinks part of , and he will look into it further, is Pittsburgh rate, was only levied by the City of Pittsburgh not the School District of Pittsburgh so that may be part of the reason of the difference.

President Gilmartin said, in terms of our ability to adjust the rate, there is the opportunity to adjust up if we come up short in the revenue neutral conversion, but also if we overshoot this and the collectability of this tax results in a windfall we have the opportunity to adjust the rate down, correct?

Mr. Laffey said that is his understanding as well but again it clearly states that it should be in year one a revenue neutral transition.

Director McAndrew asked if anyone is getting us that \$1.8 million dollars, adding that a lot of people promised it to us in the past, to help us with this, we're already underfunded by the state by like \$30 million dollars a year he thinks, so has anybody come to the table with this \$1.8 million; as a City they need us, they want us, have they or anybody come up the money?

Mr. Laffey said no one has contacted him directly with that.

President Gilmartin thinks some of the things that we've reviewed, that Mr. Laffey reviewed, are some of the levers that we can pull to try to mitigate that one-time shortfall, or delay really.

Director McAndrew said to him, that's shared services, we were in meetings with them for three years for shared services and these opportunities and ideas never came up so it's funny how what the City wants us to do, they're putting a lot of pressure on us because they're on a time clock and now they're giving us all these shared services ideas; he just doesn't know where they were the last couple of years.

Director Yanni asked Solicitor Audi – in reading this motion, can he help her break it down a little bit. In the first paragraph we say the Board of Education requests the District Administration to replace the BPM tax with the payroll prep tax so if we approve this, which it's a board vote, we've approved it, it's a done deal or as Directors Gilmartin and Hume are saying, there's still opportunity there to explore these options. Could we go back and say wait, we explored these options and we're not feeling that we're going to be able to work something out with the City so we want to reverse this.

Solicitor Audi said, very specifically to answer her question, he believes that there could, there is a hatch built in there that would allow the Board to go back if they had to, it doesn't say adopt and implement, it simply says request the District Administration to replace – so you're requesting to replace, it doesn't say adopt and implement. He thinks an

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argument could be made that there's a possibility of saying if this isn't working out we don't have to do this, we're not bound by it.

Director Yanni said her second question, is there a way to firm up the last paragraph as we're saying to explore options to mitigate any revenue delays or shortfalls due to the conversion, is there any legal terminology we could use to say that in good faith that the City will sit down with our school district leaders to really explore these options that we discussed.

Mr. Audi responded that they could come up with any number of phrases or language that would be stronger but we need to have that commitment – he doesn't know that they could necessarily just say tonight that we could do more than explore that option because we don't have all the other parties here to say that at this moment.

Director Hume asked Mr. Audi, can we say something like, that we would approve the replacement of the data as noted above subject to the satisfactory resolution of the issue of the \$1.8 million dollar anticipated shortfall. Mr. Audi responded yes.

Director Yanni asked Director Hume to repeat.

Director Hume responded – up to as noted above...subject to the satisfactory resolution of the issue of the \$1.8 million anticipated shortfall in district revenue.

Solicitor Audi said he wouldn't call it a shortfall he would call it a delay or a lapse. It's a delay.

Director Hume corrected shortfall to delay in district revenue collection. Mr. Audi agreed.

Director Yanni thinks they need to do that and asked if they do that as a friendly amendment. Mr. Audi said yes.

Director Hume said she is prepared to make that friendly amendment, for her it would resolve the issue.

Director Fox said we're talking about taking out the word shortfall and we know this needs to be revenue neutral but as we heard over the last few weeks that there are multiple ways that we could be collecting more money and that is what greatly concerns her because we are not sure where our world will be financially in the future, we're doing pretty well right now because of the pandemic and she's not sure that without the pandemic if we would be in such a good place, so hearing that, if we push our Real Estate percentage from 86% to 87% to 90% we could get \$1.9 million and thinking if we could have that \$1.9 million on top of what we're currently collecting and without the uncertainty of changing, and also Mr. West explained to us that she believes contractors are not paying BPM when they should be and that is another avenue that we could be going after so her question, the potential increase of Real Estate, for example, could cover their shortfall, the delay, then we don't have anything to fall back on for a potential shortfall because we don't know if a shortfall could or could not occur from this. As they stated, they could change the rate once but they would still experience that shortfall. Ms. Fox continued that we're finally getting to a good place in our budget and she doesn't feel like we're having the other side of the conversation

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of that, we're only now, as Director Hume briefly touched on, that we're only now looking at ways to increase this because we're looking at changing the tax structure so if we kept everything how it is now and then also got the \$1.9 million from the Real Estate and then also went after the contractors or more aggressively collected this tax which we've heard that we can do, that money that could be added to our budget without the questions if it will actually be there because we're not sure with the payroll tax, we're just hoping. So we're taking out the word shortfall but its rather possible that we'll have shortfalls, correct?

Director Hume said she is a bit confused-are we conflating the two issues, she's feeling a bit like we're conflating two issues. One is a separate issue; we can't independently of the City go ahead and maximize to the very best greatest extent of possible both the collection of the mercantile tax and increase our Real Estate collection rate but she thinks that is a very separate issue because the direct cause of the \$1.8 million dollar delay in the revenue of the district is directly linked to payroll tax change and she is confused about conflating the two issues and she's sorry f that confusion arose because she made comment that she thinks regardless of anything else we should be making those two.

Director Fox added that if we did not do this conversion and then we're looking for money for the \$1.9 million but that money is apparently there so if we didn't have that shortfall we're saying we're able to collect it but we're not looking to collect it unless we're doing this conversion.

Mr. Laffey responded that we certainly want to pursue delinquent BPM (Business Privilege Mercantile Tax) regardless of the decision tonight. Both entities had prior contracts and when they expired it's been the intention of the shared services committee to look to do a joint RFP for that service so he doesn't want to sound like we weren't pursuing it; the Single Tax Office currently pursues it for us on the BPM, he can say for the school district, he thinks it's around \$700,000-\$800,000 a year that we collect delinquent for BPM, it's just when we engaged a firm to specialize in that we saw a spike that was significant and it's the intention to bring to the Board hopefully soon, the goal to partner with the City on that collection.

President Gilmartin thinks the important thing to note, and Director Fox makes a very good point, there is the potential for \$1.9 million dollars only getting to that 90% which she and Mr. Laffey spent time on the phone one day searching through surrounding districts to make sure that we were on target with that being an average and she thinks he would agree that is what they came up with so there is the potential for exceeding that which would be wonderful but we certainly don't want to make it seem as though we're only going to do that if we do this, she thinks this is something we all would like to focus on but the potential \$1.9 million dollars in increased property taxes simply by increasing the collection rate is likely ongoing and our \$1.8 million dollar gap is one-time and she understands you're asking the question of potential revenue shortfall could there be simply with this conversion, may be any confusion, a lag in collections and anything that could go along with something new which takes time to get used to but she thinks that also begs the question what BP tax isn't being collected; we don't know that.

Mr. Laffey added, regarding the real estate collection percentage, he doesn't know how large of a portion of it is, but it is an initiative of the recovery plan so that is something they will continue to pursue to increase.

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Director Malloy asked Mr. Laffey, the potential delay is approximately \$1.8 million dollars?

Mr. Laffey responded yes, they estimate that, he thinks it's conservative, they estimate that based on about 25% of what they budget. They budget \$7.3 million approximately so they anticipate that fourth quarter tax liability will not come until probably January if it's levied, just like Earned Income Tax, employers will be required to withhold and remit on January 31st so we won't see that until the next February.

Director Malloy asked what percentage of our projected budget is that potential delay figure of \$1.8, \$1.9 million.

Mr. Laffey said the 2022 Budget with some of the ESSER funds is about \$190 million so he would say just shy of 1%.

Director Yanni asked that they go back to the friendly amendment and what she would like to see happen if they could, is have Director Hume read that and then she would like to hear Dr. Finan's thoughts on that part of it as the Recovery Officer.

Director Hume will make the motion and they could speak to that 'On the Question'.

Director Hume made a motion for a friendly amendment to item B-15, be amended to read, in the ensuing weeks prior to the presentation of the proposed final budget the district and the City of Scranton will identify the means by which the tax will be collected and explore options to mitigate any revenue delays or shortfalls due to the conversion, subject to – at this time Director Hume looked to Director Gilmartin for assistance where the friendly amendment should be.

President Gilmartin asked that it be put in the first paragraph to read – The Board of Education requests that the District Administration to replace the Business Privilege Mercantile tax with the levy of a payroll preparation tax in the proposed final budget, subject to...

Director Hume continued "proposed final budget, subject to the satisfactory resolution of the issue of the \$1.8 million dollar anticipated delay in district revenue collection".

Director Yanni seconded.

ON THE QUESTION OF THE FRIENDLY AMENDMENT:

Director Yanni asked Dr. Finan what her thoughts are on this.

Dr. Finan responded that if she understands the friendly amendment, we're going to be looking for replacing that \$1.8 million before we make the decision to convert, yes, is that what it is saying?

Director Hume asked if there is in place the mechanism by which that \$1.8 million anticipated delay would be overcome.

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Dr. Finan asked if this is how Mr. Audi understands it.

Solicitor Audi answered that he understands that if the \$1.8 million is found that then there is approval to move forward with the transition.

Dr. Finan said she has spent some time looking at all the data that they've all looked at and she thinks this evening they heard from local business owners that she believes requires them to take into consideration some of the points they've made, she'd like to see some of that data, she thinks that's fair that they came here this evening and she thinks it's fair for us to review that and she believes when she met with the folks at the City that if we could find the \$1.8 million prior to making a decision it would make this decision a tax conversion and not about a loss of revenue that we're going to have to make up over 10 or 15 years. She is comfortable with the friendly amendment, whether it is the right decision, as they know she's told this group that they get to make that decision, she doesn't have a role in that. She likes data to work with and she would like to make sure that what she heard this evening is accurate and she thinks they need to make sure that they understand. She doesn't think any of them would like a business to leave this City because of the taxes. She doesn't think that is fair but whether or not this is a better tax, she thinks it's up to the Board to make. She just wanted the \$1.8 million to come off the table, we find a way to do that, but she thinks there are other issues that are clearly delineated in the Recovery Plan that we need to work on with the city; our collection rate needs to improve because that would be an annual additional money, just 4% would bring us \$1.9 million dollars annually, that's huge to us. Dr. Finan continued that the other important piece is when they're talking shared services maybe we can share some services as well, so that we can start to truly share costs and to share it equally and she doesn't think we're doing it so she thinks there is work to be done and she thinks we're in a good place to work with the City but as Director Yanni has said, the Board decision is to make the best decision for the school district and for moving forward. Dr. Finan feels more comfortable with the friendly amendment because she thinks it makes them prepare for the budget before they pass that proposed final budget but we have work to do and she thinks that's only fair and she knows we've been working on this a long time and she thinks everybody is a little tired of working on it but she'd like to see a little bit more data based on what they heard from folks here this evening.

President Gilmartin, added to that point, she thinks some of the concern raised this evening, she wants to make sure they are all understanding the data correctly and when they're looking at the spreadsheets maybe they are not understanding the make-up of some of these businesses, maybe not calculating properly and perhaps there's a misconception on the rate or the calculation on that end and thinks the opportunity to have some of those discussions is a good one and she also thinks it has to be noted that the Mayor did mention that the ideal scenario here would be if we were able to eliminate the tax all together, so she certainly thinks that we can admit the fact that none of us love taxes but they are the reality of funding what it is we are trying to accomplish so she thinks looking for modern, equitable, collectible ways to collect that revenue to see those dollars, is the very best we can do. She has criticized many time people coming forward and simply call the BPM a nuisance tax, calling it erroneous, and she thinks in the last several weeks and months, a lot of good information has come forward and one of the things they found in their Googling sessions was the 1988 Tax Reform Commission Act that did actually define this as a

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“nuisance tax” and highlighted drafting flaws in defining the scope of the tax base and situs of services, so there’s some truth to that nuisance erroneous antiquated language.

Director McAndrew said a big fear of his is this \$1.8 million, he doesn’t want it to be stuck on the tax payers because they’re always the ones holding the bill to pay our mistakes and our shortfalls. They have a lot to still do in the district and it’s when you finally have some money and not just throw it out the window, he thinks they need to be very careful with this decision and they have a teacher contract that they have to work on too so there are a lot of big steps they still have to take in this Recovery Plan, and thinks that the \$1.8 million, somebody needs to help us out with it because this is being brought up again because the City is on a “shot clock”, they have time expiring to make this decision, they’re the one making this public again for us. He knows it’s been voted on but it hasn’t been acted on yet so he thinks the City needs to step up and come up with the money for us.

Director Hume asked Mr. Audi to clarify, even if this motion passes with the friendly amendment, we will still have the chance when we pass the budget to change our minds, is that correct?

Mr. Audi responded that as he reads the motion, that’s correct.

Director Fox asked, even if we find the \$1.8 million, it doesn’t hold us to it is what you’re saying.

Mr. Audi said that’s correct.

Upon roll call, the friendly amendment passed unanimously on roll call.

At this time Director Cruz asked to clarify what a yes vote would mean and what a no vote would be and what the next steps would be.

Solicitor Audi needed the question repeated.

Director Cruz asked if they vote yes on the motion as they just did, what are the steps going forward and if they vote no then what happens; what are the two scenarios.

Mr. Audi responded that the vote yes allows the board; they requested the opportunity to replace the Business Privilege Mercantile tax with the payroll prep tax to the proposed final budget subject to the understanding that the \$1.8 million dollar delay would be covered. Mr. Audi added there is several contingencies - they’re requesting the opportunity to do it and also requesting the opportunity to find the \$1.8 million dollars. That is how he interprets this motion. A no would mean we’re not moving forward, not looking into it any further.

President Gilmartin now read the following motion:

The Board of Education requests that District Administration replace the Business Privilege Mercantile tax with the levy of a Payroll Preparation tax in its proposed final budget subject to the satisfactory resolution of the issue of \$1.8 million dollar delay in district revenue collection. The proposed tax will be set at a rate with the intention that

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the conversion is revenue neutral. The District retains the ability to adjust the rate one time to ensure a revenue neutral conversion. In the ensuing weeks prior to the presentation of the proposed final budget the District and the City of Scranton will identify the means by which the tax will be collected and explore options to mitigate any revenue delays or shortfalls due to the conversion.

Secretary Orr confirmed the motion was originally moved by Director Yanni, seconded by Director Hume.

The motion passed with five (5) affirmative and three (3) negative. Directors Fox, McAndrew and Dempsey voted in the negative.

15. COMMUNITY RELATIONS – No Items.

16. EDUCATION

16.01 {D-9} Motion to Approve Refugee School Impact Grant Program
Approve the Refugee School Impact Grant (RSIG) program that provides opportunities for eligible refugee students in the district and their families as detailed in the attached Letter of Agreement. [RSIG Letters of Agreement](#)

Director Cruz made a motion, seconded by Director Malloy; motion passed unanimously on roll call.

17. OPERATIONS - No Items.

18. PERSONNEL

18.01 {F-1} Motion to Approve Personnel Report
Approve Personnel Report as attached. [Personnel Report 9.13.21](#)

Director Cruz made a motion, seconded by Director Malloy; motion passed unanimously on roll call.

ON THE QUESTION:

Director Cruz congratulated the new hires and thanked the individuals retiring or resigning for their dedication and service to the district and students.

A. Professional Retirement

Barbara Kopicki	ELD Teacher	Armstrong Elementary	9/10/2021
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B. Professional Resignations

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>
Joseph Diskin	Intervention Specialist	ECA	9/3/2021
Jennifer Palazzari	Guidance Counselor	WSHS	9/3/2021
Renee Vigil	Math Teacher	WSHS	8/31/2021
Sara Baldinucci	Kindergarten Teacher	Sumner	T.B.D.
Marie Ceccoli	Science Teacher	NEIS	8/25/2021

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(Professional Resignations-continued)

Megan Judge	Grade 5 Teacher	NEIS	T.B.D.
Justin Bechaver	Industrial Arts	WSHS	8/19/2021
Erin Schaepe	English Teacher	SHS	9/6/2021
Jennifer Culp	Learning Support	SHS	T.B.D.
Matthew Havrilla	Math Teacher	WSHS	9/6/2021
Brian Bartnikiewicz	Grade 4 Teacher	McNichols	T.B.D.

C. Professional Appointments

<u>Name</u>	<u>Position</u>	<u>Location</u>	<u>Effective Date</u>	<u>Replaced</u>	<u>Salary</u>
1.Makayla Kresefski	Kindergarten	Whittier	9/3/2021	L. Boyle	\$38,377
2.Angelica Hinton	Grade 2	Isaac Tripp	9/3/2021	A. Butler	\$41,055
3.Lori Grady	Autistic Supp.	Armstrong	9/3/2021	M. Cognetti	\$46,971
4.Kendra Mueller	Grade 5	Northeast	T.B.D.	M. Judge	(pro-rated)\$46,740
5.Matthew Havrilla	Math Teacher	WSHS	9/3/2021	R. Dempsey	\$38,377
6.Carissa Kasa	Math Teacher	WSHS	9/3/2021	R. Vigil	\$46,740
7.Catherine DiPaola	Autistic Supp.	WSHS	9/3/2021	New	\$38,377
8.Rebekah King	English Teacher	WSHS	9/3/2021	J. Kilmer	\$47,436
9Kaylyn Schmidt	Family Con. Sci.	WSHS	9/3/2021	C. Spager	\$41,055
10.Jacqueline Sparacino	Grade 5	Northeast	9/3/2021	A. Curtis	\$46,740
11.Vera Sedlak	Learning Supp.	Northeast	9/3/2021	N. Shaffer	\$46,275
12.Brooke O'Brien	Grade 2	Kennedy	9/3/2021	M. Mullarkey	\$39,618
13.Jessica Cerra	Kindergarten	Isaac Tripp	9/3/2021	A. Krieger	\$38,377
14.Marissa Evans	Grade 1	Kennedy	9/3/2021	J. Keating	\$38,377
15.Kayla Harrington	Grade 1	Robert Morris	9/3/2021	N. Egan	\$38,377
16.Patrick Abdalla	English Teacher	Scranton High	9/3/2021	E. Matatics	\$39,280
17.Alaina Garubba	Autistic Supp.	WSIS	9/3/2021	New	\$38,377
18.Natalie Cocchini	Emotional Supp	SSIS	9/3/2021	New	\$38,377
19.Laura Trotta	Emotional Supp	SSIS	9/3/2021	A. Hapstak	\$46,507
20.Richard Hensel	Science Teacher	SSIS	9/3/2021	J. McCormick	\$46,275
21.Charles Schoen	Occup. Ther.	District-Wide	9/3/2021	K. Ulkoski	\$40,296
22.Natalie Shultz	Grade 8 Reading	Northeast	9/3/2021	J. Heise	\$38,603
23.Julia Ramirez	Learning Supp.	WSIS	9/3/2021	J. Calore	\$38,377
24.Sarah Hallock	Grade 5	Isaac Tripp	9/3/2021	B.Dixon	\$46,740
25.Tara Conway	Kindergarten	Sumner	9/3/2021	S. Baldinucci	\$39,280
26.Jacqueline Batcha	Science Teacher	SSIS	9/3/2021	K. Miller	\$46,971
27.Christopher Hughes	Math Teacher	WSIS	9/13/2021	M. Cummings	(pro-rated) \$46,275
28.Nancy Petalver	Art Teacher	SSIS	9/3/2021	A. Ruane	\$46,270
29.Matthew Merzejewski	English Teacher	WSHS	9/3/2021	M. Gladney	\$39,618
30.Suzanne Reed	Learning Supp	NEIS	9/13/2021	J. McGarry	(pro-rated)\$46,971
31.Elizabeth Durdan	Science Teacher	NEIS	9/3/2021	M. Ceccoli	\$38,377
32.Nicole Roberts-Tonti	Grade 5	NEIS	9/3/2021	A. Curtis	\$46,971
33.Erica Stolan	Life Skills	SSIS	9/3/2021	New	\$39,618
34.Hayley Miller	Guidance Coun.	WSHS	9/3/2021	J. Palazzari	\$40,926
35.Kayleigh O'Malley	Cyber K-6	District-Wide	9/3/2021	New	\$40,296
36.Morgan Williams	Guidance Coun.	WSHS	9/3/2021	New	\$39,280

D. Professional Uncompensated Leave of Absence

1.Kelly Wentlend	Grade 4	Kennedy	10/15/21-11/12/2021
2.Andrea Lynch	Grade 5	Sumner	FMLA 9/3/2021-12/3/2021
			12/4/2021 – End of school year
			RESCIND LOA PREVIOUSLY APPROVED 2021/2022 SCHOOL YEAR
3.Allyn Ferretti	Sp Ed	SHS	2021/2022 School Year

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(Professional Uncompensated Leave of Absence-continued)

4.Kayla Eddinger	Sp Ed	WSHS	FMLA 9/3/2021-11/5/2021
5.Courtney Homick	English	SSIS	FMLA 9/10/2021-10/11/2021
6.Matthew Paris	Grade 5	SSIS	FMLA 9/3/2021-12/3/2021 12/6/2021 – end of school year
7.Kerry Ruddy-Archer	Art	SHS	FMLA 9/7/2021-12/3/2021
8.Alyssa Gambo	Grade 6	SSIS	FMLA 12/24/21-3/23/2022
9.Basil Bannister	English	WSHS	Rescind LOA Previously Approved 9/12/21-9/26/2021
10.Nicole Marzani-Lewis	Emot Supp	WSIS	FMLA 9/20/21 – 12/17/2021

E. Recommendations for Permanent Sub Positions

1.Patrick McGlynn	Music	NEIS/SSIS	2021/2022 School Year	New	\$38,377
2.Joanna Hiller	Business Ed	WSHS	2021/2022 School Year	New	\$38,377
3.Jason Talamadge	Autistic Supp	NEIS	2021/2022 School Year	New	\$38,377
4.Angela Ceccarelli	Art	NEIS/SSIS	2021/2022 School Year	P.Gaughan	\$38,377
5.Emily Hart-Sanko	Special Ed	SHS	2021/2022 School Year	A. Ferretti	\$38,377
6.Jessica Judge	Business Ed	SHS	2021/2022 School Year	D. Gowarty	\$38,377
7.Alexandria Auriemma	Grade 5	Sumner	2021/2022 School Year	A. Lynch	\$38,377
8.Jordan Answini	Grade 5	NEIS	2021/2022 School Year	Gr Level Org	\$38,377
9.Maria Holland	Grade 5	NEIS	2021/2022 School Year	Gr Level Org	\$38,377
10.Joshua Laster	Math	SHS	2021/2022 School Year	S. Decker	\$38,377
11.Joseph Diskin	Learning Supp	NEIS	2021/2022 School Year	New	\$38,377
12.Melanie DePietro	Art	Adams/Sumner	2021/2022 School Year	Gr Level Org	\$38,377
13.Alisa Shaffer	Autistic Supp	Armstrong	2021/2022 School Year	C. Gownley	\$38,377
14.Matthew Schlittler	Science	ECA	2021/2022 School Year	K. Dolan	\$38,377
15.Bethany Cholish	Business Ed	SHS	2021/2022 School Year	New	\$38,377
16.Rachel Schwartz	Learning Supp	SHS	2021/2022 School Year	A. Martin	\$38,377
17.Morgan Reese	Spanish	WSIS	2021/2022 School Year	H. Scacchitti	\$38,377

F. Recommendations for Long-Term Sub Positions

1.Erin Schaepe	English	SHS	9/3/2021	P. Nestricks
2.Sarah Cantarella	Grade 4	Kennedy	9/3/21-11/15/21	K. Wentland
3.McKenzie Bradley	Grade 3	Whittier	9/3/21-1/3/2022	M. Smeden
4.Kaila Slack	Art	SHS	9/7/21-12/6/21	K. Archer
5.Katrina Oleski	Grade 4	Willard	9/3/21-11/8/21	K. Bird
6.Katharine DeFrancesco	Learning Supp-APEX	WSHS	9/3/21-11/8/21	K. Dewey

G. Non-Professional Leave of Absence

1.Lisa DeRobertis	PCA	SHS	FMLA 9/3/21-12/3/2021
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H. Non-Professional Retirement

1.David Zychal	Maintenance	SSIS	9/10/2021
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I. Non-Professional Resignations

1.Bernice Ferranti	PCA	NEIS	9/10/2021
2.Jason Amico	Paraprofessional	Monticello	8/20/2021

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(Non-Professional Resignations-continued)

3.Michele Diana	PCA	WSIS	9/10/2021
4.Anita Preambo	Life Skills Para	Willard	9/3/2021
5.Casey Gallagher	PCA	Kennedy	9/7/2021
6.Roberta Jadick	PCA	Isaac Tripp	9/7/2021
7.Greta Vinskofski	Paraprofessional	SHS	9/7/2021

J. Non-Professional Appointment

1.Scott Durkin	Maintenance	District-Wide	8/30/2021	
2.Timothy Hart	Maintenance	District-Wide	8/30/2021	
3.Andrew Gale	Maintenance	District-Wide	8/30/2021	
4.Editha Walsh	Maintenance	District-Wide	8/30/2021	
5.Ryan Harbaugh	Maintenance	District-Wide	8/30/2021	
6.Joseph Abood	Mainenance	District-Wide	9/14/2021	
7.Melinda Dotzel	Maintenance	District-Wide	9/14/2021	
8.Maureen Williams	Adm. Asst. 185	Monticello	9/7/2021	J. Luciani \$25,000 pro-rated
9. Todd Snee	IT Specialist Level I	District-Wide	9/13/2021	New \$35,000 pro-rated

K.Coaching Appointment

1.Dave Beemer	Tennis Coach	WSHS	8/16/2021
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L. Coaching Resignation

1.Nelson Villafane	Wrestling Coach	SHS	9/9/2021
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ALSO

18.02 {F-2} Motion to Approve .40 Organizational Leave of Absence Request for Employee #1613

Approve .40 Organizational Leave of Absence Request for Employee #1613 for the 2021-2022 School Year.

Director Cruz made a motion, seconded by Director Malloy; motion **failed** unanimously on roll call.

ON THE QUESTION:

Director Cruz asked Mr. John Castrovinci, Human Resources Officer if he has a recommendation for this motion.

Mr. Castrovinci responded that the administration received the request for a .4 organizational leave of absence from the SFT. Mr. Castrovinci reviewed the contract language regarding organizational leave requests, conferred with other administrators and Mr. Audi and the opinion and advice is that the board deny this request because it is not required to be given per the contract.

ALSO

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18.03 {F-3} Motion to Approve ProCare Contract for Special Education Teaching Services Approve ProCare Agreement for Special Education Teaching Services as outlined in the attached. [ProCare Contract and attachment 9.13.21](#)

Director Cruz made a motion, seconded by Director McAndrew; motion passed unanimously on roll call.

ON THE QUESTION:

President Gilmartin asked Dr. Sharon Baddick to address the need for this.

Dr. Baddick said we contracted a teacher through ProCare because we needed a teacher in a complex classroom that required someone with expertise in the field so we went ahead and contracted with that particular person through that agency on a very temporary basis as we're still looking to hire through the district so we're reviewing it each quarter and determining at that point whether or not to extend the contract.

ALSO

18.04 {F-4} Motion to Approve Extension of the SEIU 32BJ Contract Two Years to December 2025

Approve the amendments and extension of the collective bargaining agreement with the SEIU 32BJ as per the attached. [32 BJ contract amendment.pdf](#)

Director Cruz made a motion, seconded by Director McAndrew; motion passed unanimously on roll call.

ON THE QUESTION:

Director Yanni asked for highlights of this motion.

Mrs. McTiernan will address both the 32BJ and the Act 93:

As outlined in the SSD Recovery Plan the CRO has worked with the district to identify additional funds to be used for staff salary increases. Under Revenue Initiative 08, the district has allocated a portion of its 2020 fund balance and the unbudgeted increase in state aid from the Commonwealth's 2021-22 budget. These sources provided significant increases in funds for salary negotiations for all staff. Estimated fund balance approximately \$5.2 million, state aid allocation \$1.3 million in 2021 and \$2.9 million in 2022. In order to recognize the efforts of the district's support and administrative staff who agreed to new contracts in 2021 the district prepared revised agreements to reflect the new revenues. These proposals were presented to the school board on September 13th to provide increases for staff represented by the 32BJ and Act 93 staff. For the district support staff represented by the SEIU the additional funds allowed the district to make these salary increases, extend the contract by two years to provide guaranteed salary increases for the next five years, provide step movement for all five years of the agreement, increase the hourly rates for all staff in each year providing a raise of \$2.25 over the full term of the contract, provide bonus payments for staff in 2021 with the possibility of bonus payments in future years. Between step movements and hourly rate increases staff will see average salary growth of about 3% per year for the next five years. For the district's administration and support staff represented -by the Act 93 group the additional funds allowed the district

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to make these salary increases: Guarantee a 1% salary increase for staff on a salary schedule in 2022, provide an additional step movement for staff on the salary schedule in 2022 and for staff that are not on salary schedule, salary increases were raised from 3% to 4% in 2022. Although the available funds did not allow the district to extend the agreement for Act 93 staff beyond the 2022 calendar year the district has already identified a path forward. Beginning in early 2022 the district will develop a new proposal for Act 93. The district will begin discussions with staff representatives before the end of the calendar agreement with the goal of reaching settlement before the expiration of the contract.

President Gilmartin asked if this is sustainable.

Mrs. McTiernan responded that they wouldn't have proposed it if it wasn't, adding that Dr. Finan has been working very hard with Mr. Laffey to make sure that this was a promise that we made when we were in negotiations so we're happy we're able to fulfill something that we said we can do and she believes that both groups are very happy and grateful.

**SEIU District 1201 Local 32BJ
Proposal Summary**

September 13, 2021

Term	2021 to 2023 3-year contract term	Extend contract by two years	2021 to 2025 5-year contract term
Hourly Rates	2021: \$0.50 increase 2022: \$0.25 increase 2023: Wage reopener Total increases: \$0.75 over 3 years	2021: No change 2022: Additional \$0.25 increase 2023: Wage reopener converted to a \$0.50 increase 2024: \$0.25 increase 2025: \$0.50 increase	2021: \$0.50 increase 2022: \$0.50 increase 2023: \$0.50 increase 2024: \$0.25 increase 2025: \$0.50 increase Total increases: \$2.25 over 5 years
Step Movement	2021: 1 step 2022: 1 step 2023: 1 step Total: 3 steps over 3 years	2021: No change 2022: No change 2023: No change 2024: Step movement 2025: Step movement	2021: 1 step 2022: 1 step 2023: 1 step 2024: 1 step 2025: 1 step Total: 5 steps over 5 years
Bonus Payment	No guaranteed bonus payments	2021: \$2,000 bonus payment 2022 and 2023: Reopener to discuss potential bonus payments	2021: \$2,000 bonus payment Reopeners in 2022 and 2023 to discuss bonus payments up to \$2,000
Retroactive Payments	No retroactive payments	No change	No retroactive payments

ALSO

18.05 {F-5} Motion to Approve an Amendment of the Act 93 Compensation Agreement
Approve the amendments to the current Act 93 Administrative and Support staff
agreement per the attached summary of changes. [Act 93 amendments.pdf](#)
Director Cruz made a motion, seconded by Director McAndrew; motion passed unanimously
on roll call.

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**Act 93 Administrative and Support Staff
Proposal Summary**

September 13, 2021

Term	2018 to 2022 5-year contract term	No changes	2018 to 2022 5-year contract term
Salary Schedule	2021: 0 percent increase 2022: Wage reopener	2021: No change 2022: Wage reopener converted to a 1 percent increase	2021: 0 percent increase 2022: 1 percent increase
Step Movement	2021: 1 step 2022: Wage reopener	2021: No change 2022: Wage reopener converted to a 1 percent increase	2021: 1 step 2022: 1 step
Non-Scheduled/Non- Step Employees	2021: 4 percent increase 2022: 3 percent increase	2021: No change 2022: Additional 1 percent increase	2021: 4 percent increase 2022: 4 percent increase
Bonus Payment	2021: 1 percent bonus for top step/non-schedule employees	2021: 1 percent bonus converted to a \$2,500 payment	2021: \$2,500 bonus payment for all Act 93 employees
Retroactive Payments	No retroactive payments	No change	No retroactive payments

ALSO

18.06 {F-6} Motion to Approve Millennium Administrators Contract for Benefit

Administration and Pharmacy Management

Approve Services Benefits Administration Contract, Pharmacy Administration Contract and Renewal Memo with Millennium Administrators through June 30, 2024. This motion allows the District to continue its obligation to provide health benefits as bargained/implemented with Act 93 and SEIU 32BJ. It also allows the District to maintain, uninterrupted its final offer to the SFT. Thereafter, a RFP will be issued for the services specifically necessary to fulfill all contractual obligations with staff units pursuant to policy 610.

Director Cruz made a motion, seconded by Director Hume.

ON THE QUESTION:

Director McAndrew believed there was some discussion at the last meeting about this violating our policy and asked if they could have an explanation why it's not now.

Director Gilmartin responded that is why the motion is drafted the way it is, there were concerns that we would not be able to shift gears mid-stream and live up to the obligations of the settled contracts or also maintain the offer on the table with the third contract but certainly we do acknowledge that we have put these parameters in place to make sure no commentary on the services that are being provided but make sure that we are bidding these things on a regular basis and she thinks in learning, certainly the professional services are not beholden to this but still she thinks it is just a matter of good business, from time to time assess these agreements but having been the person who was instrumental in some of the language in Policy 610 she knows a little bit more now than she did then so she thinks they may have inadvertently backed themselves into a corner, we certainly want to live up to the intention but we don't want to get ourselves to a point where we are risking being able to honor what we have agreed to in our contract. Ms. Gilmartin shares Director McAndrew's concerns about it, she felt this was a way to get

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through what they needed to uphold right now but acknowledges that going forward, we want to make sure that policy 610 is pristine and that we are following it.

Director McAndrew responded the agreement that expired was that an extension or was that an RFP from a couple years ago; are we giving another extension or do we bid it out.

Ms. Gilmartin responded she believes it expired at the end of five years and we've been without a contract.

Mr. Audi agreed adding that Sara Picard has been working without a contract, without any pay changes as well.

Director McAndrew asked how long that was; Mr. Audi believes 6 years, 5 years.

Director Yanni said she is still confused; per policy then we don't need to re-bid this, is that what they're saying?

President Gilmartin answered we do not because this is a professional service so we are not beholden to bidding a professional service.

Mr. Audi said that's correct, that's the only reason that this is on the table is because of policy 610.

President Gilmartin continued to say knowing the intention of that, it was certainly to continue to monitor these agreements on a somewhat regular basis but the policy needs to be updated to include the language that she is more familiar with now.

Director Cruz asked if what Ms. Gilmartin is saying is that the policy needs to be amended to exclude professional services.

Ms. Gilmartin does not believe there is, she doesn't have total recall of it right now but she doesn't believe there is reference to professional services, she doesn't think that is defined and it should be.

Director Yanni added our best practice would be to re-bid it and her bringing it up is no reflection on Ms. Picard or Millennium, she just wants to make sure that we're doing everything we can to understand this, if we should be in best practice or best policy looking at re-bidding this, could we continue with our negotiations in good faith if we were to do that at this time. Is it ELAP that we would still be negotiating as opposed to Millennium?

Mr. Audi said we've already concluded contracts with SEIU 32BJ and there's very specific language requiring us to go with that particular service so while a third party administrator is not mentioned in it, he doesn't know how we would have identical services mid-stream of a contract, he thinks it would be nearly impossible.

Director McAndrew asked if any of our contracts line up. Mr. Audi said no, they do not.

Director McAndrew asked wouldn't this always be the same thing then.

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Mr. Audi said, no, what we would do at the conclusion of the final contract, it would give us time to be able to if we chose, to bid and provide identical services up to which we've already committed.

Director Yanni asked what would happen if this didn't pass, we kind of backed ourselves in here. Mr. Audi said we acknowledged that.

Ms. Gilmartin added that is why the motion is worded the way it is so that we are on record now saying we aren't going to do this again because this should have been done the last time this expired and for whatever reason that did not happen and we are now going on record to say we don't want to put ourselves in this position again.

Director Dempsey said policy 610 is very specific to written or telephonic price quotations shall be requested by the board for furniture, equipment, school supplies and appliances costing a base amount in excess of the state established quoting threshold but less than the state established bidding threshold. The other is all contracts for construction, reconstruction, repairs and maintenance or work on any school building or property having a total cost or value in excess of the state established quoting threshold but less than the state established bidding threshold. It doesn't actually specify anything outside of that requiring it so we could amend the policy to make sure that it includes everything but as of right now we are not in violation of policy if we approve this motion.

Director Gilmartin thinks that really clarified it because we aren't violating the policy but we know the intention behind the policies so for good measure we are making it clear we don't want to be in this situation again.

Director Cruz said there has been a lot of talk and issues surrounding ELAP and asked Sara Picard to explain how things are going.

Sara Picard from Millennium Administrators announced there is a Millennium representative housed in the Administration Building and will meet with any member within the district to resolve any balance bills they may receive. Ms. Picard has a roster that she will share and any issues that do surface are resolved within a 48 hour period. There are some balance bills that will continue to occur because often it takes anywhere from 30-60 days to resolve with particular providers but so far, for the most part everything seems to be running smoothly, they've been getting some great comments and positive feedback from Act 93 and 32BJ members as well so they're pretty confident they'll continue to service the district to the level that they promised.

Upon roll call motion passed with (6) six affirmative and (2) negative. Directors Cruz and McAndrew voted in the negative.

ALSO

19. POLICY (Policy & Legislative) No Items.

20. SPECIAL EDUCATION

20.01 {H-1} Motion to Approve Center for Independent Living Agreement for 2021-2022 School Year.

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Approve agreement with MYCIL to provide transitional life skills services to students of Scranton School District as outlined in attached agreement commencing on August 1, 2021 through July 31, 2022.

Financial Impact:

Annual ½ day services fee per student - \$14,400

Annual full day services fee per student – available upon request.

Director Malloy made a motion, seconded by Director Fox.

ON THE QUESTION:

President Gilmartin asked Dr. Baddick why the cost of Annual Full Day Services per student is available upon request.

Dr. Baddick explained that the students don't really go for full day, they all split their time; the youngest kids are serviced in Scranton High School at no cost to the district, (the pre-employment program) and then the older high school level students, they split their day between the school and CIL and then the kids that are 18-21 have their academics at Monticello and then they go to CIL for the other half of the day.

Upon roll call, motion passed unanimously on roll call.

ALSO

12.35 {G-2} Approve First Read BOG-003-4 Role of Directors & Superintendent Governance & Management and Policy 707 – (Use of School Facilities removed from Consent)

Director Dempsey made a motion, Director Cruz seconded.

ON THE QUESTION:

Director Yanni said the reason she asked to pull this from the Consent Agenda is she was hoping that maybe they could postpone the review of this because they are going to be reorganizing this board in December so it's a couple months away; they're going to have five seats that are involved in that reorganization and she thinks if it was postponed until after Reorganization it would allow those new board members to become familiar with the policy, have input into the policy and be able to vote on this policy so her thought was she'd like to make a motion to remove it for a board vote at this time until such time as the board reorganizes.

Director Fox asked if it can be brought up again.

President Gilmartin responded that it certainly can be amended at anytime and asked Director Yanni if she is making a motion to table.

Director Yanni asked what would be best if her goal is to wait until after Reorganization.

Solicitor Audi responded tabling it would be one way; it would move it to the next meeting.

Director Dempsey said she can also make a motion to postpone until a certain date.

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Director Yanni said that is what she would like to do and made a motion to postpone it until January 2022 since there are five new seats involved and it would allow them to have input and vote on it.

Director McAndrew seconded.

ON THE QUESTION OF THE MOTION TO POSTPONE:

Director Hume asked Mr. Audi if the new board would still have an option to amend this policy.

President Gilmartin responded yes.

Director Fox asked if they can reiterate what the changes are.

Director Dempsey responded that it's an addition under from administration regarding the Superintendent shall direct administrators to follow this process in the event a request is made which circumvents the board committee structure so the request is a request for reports from administration shall be made to the board committee chairperson so the addition is that the Superintendent would direct administrators to follow this process if there is an attempt circumvent that process.

President Gilmartin added that not making that change doesn't technically change the way they are operating it just makes the administrators a little more comfortable to ask a chairperson to refer to another chairperson.

Director Hume asked, even without the formal policy it would still be possible for the administrators at the direction of the Superintendent to do so just without the protection of the policy.

Director Yanni said her purpose isn't to circumvent the policy it's just to think about going forward when they have Reorganization at that point then they would have that input and she thinks everybody would be on that same page so she thought that would be the appropriate time to have that discussion. Director Yanni added that as much as she thinks the world of Directors Malloy and Dempsey she doesn't know if this is something they want to be involved in voting on for their follow up board members.

Director McAndrew thinks they've been talking about this policy forever and they keep making changes, he thinks they should leave it the way it is, he doesn't like the policy to begin with, thinks they should leave it as it is.

Director Fox said as a member who will still be here they don't know what any member will think when they're seated but she appreciates this policy because there are plenty of times she's seen or heard members asking questions and not going through the committee and then some people know answers, others don't and that's really concerning because they're all a team together and she wouldn't think that anyone would be trying to undermine anybody or find out secrets through or anything like that so she thinks it makes communication more concise and she doesn't know why it would be anything that somebody wouldn't want but obviously we can revisit that when others are seated at the table and see

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what everybody thinks but she thinks it makes things more clear and concise for everybody involved and makes less headaches.

Director Dempsey just to be clear this really is just giving the Superintendent authority to direct administrators to follow this process so it's not an additional issue for the board it's more of the Superintendent giving the administrators the directives.

President Gilmartin asked for roll call for the motion to postpone until January 2022.

Motion failed with three (3) affirmative and five (5) negative. Directors Cruz, Fox, Hume, Malloy and Gilmartin voted in the negative.

President Gilmartin asked for roll call on the original motion.

Motion passed with five (5) affirmative, one (1) abstention and two (2) negative. Directors Yanni and McAndrew voted in the negative. Director Malloy abstained due to him being momentarily persuaded by a fellow board member's suggestion that non returning directors not vote on these policy first read updates.

ALSO

20.02 {H-2} Motion to Approve Settlement Agreements

Approve Special Education Settlement Agreements:

ML-2100009

WIE-300316

WYE-3006317

JZ-3001939

RA-3002025

ODR# 24942-20-21AS

Director Hume made a motion, seconded by Director Malloy; motion passed unanimously on roll call.

ON THE QUESTION:

Director Yanni asked Dr. Baddick what we're doing to try to limit these settlements, what can we do.

Dr. Sharon Baddick responded that we've been working on things for the last couple of years and we are better off than we were, the amounts of the settlements are lower, we have just recently started going to hearings on some of these situations which she thinks will ultimately be a good thing for Scranton and with that said there's a lot of work to do, there's a lot of education that needs to be done with some of our Special Education staff and we just had a tremendous turnover, which is not going well and she is fearful may not bode well for us because the people who left had been here for years and there were a lot of errors being made. Dr. Baddick acknowledged she was given more personnel for oversight purposes but they have a long way to go, there are thousands of students with IEPs, it's a lot of documents to be reviewed and they have to be reviewed meticulously so what they're hoping to do is really have the principals get on board with serving as LEA at meetings and understanding better what their role in all of this is. Dr. Baddick said were in Corrective

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Action in four areas, those four areas feed into the litigation and the exposure that we faced as a district so they're going to continue to work through the corrective action steps by involving the principals and making sure that at the building level things are being done, there are many different thinks and there's no easy fix. Dr. Baddick continued that the settlements before the board, she clarified there are so many because we haven't had any in a while so the complaints originate years ago and then most of them were filed in 2020 but her ultimate goal is to try to reduce the exposure to the district and the amount paid out because it is inexcusably high for the district and yet there are still issues. They will continue to move forward and they have a plan which they've implemented and they're continuing to work toward which they've trained staff on IEPs, to read them and to audit our own files. Dr. Finan spear-headed the audit that was done through Sweet, Stevens, Katz & Williams, which was amazing, and then the audit they went through with the Department of Education which led to the four areas of Corrective Action. They have a lot of data, they are going to start data teams in the schools for purposes of reviewing the information quarterly and each building will have a data team, principals will review that information and then report back to central office so that they can review the data and help guide them in the right direction.

Director Yanni said it sounds like we've got some good follow up.

Dr. Baddick responded there's a lot on the horizon and they just have to keep moving forward.

President Gilmartin noted that when she joined this board they would get a list like this at every single meeting so great strides have been made.

Dr. Baddick said they've made a lot of progress, there were tremendous payouts when she came and she is able to do a comparison over the last 10 years so they can see where we were and where we are now as some of the board members haven't see that data so she can put that together.

President Gilmartin added that they would see a list like this with much higher numbers so Dr. Baddick certainly works to keep whatever costs possible down.

21. VENDOR RELATIONS (Purchasing, Food Services, Transportation) – No Items.

22. NEW BUSINESS

23. PRESIDENT'S REPORT

President Gilmartin congratulated both West Scranton Invaders and especially Scranton Knights for their win of the Bell Game.

24. ADJOURNMENT

Director McAndrew made a motion, seconded by Director Dempsey and the meeting adjourned at 9:44PM.

By: _____